

DEPARTMENT OF SOCIAL SERVICES  
744 P Street, Sacramento, CA 95814



October 13, 1995  
ALL COUNTY LETTER NO. 95-58

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation  
Change
- Court Order
- Clarification Requested by  
One or More Counties
- Initiated by CDSS

SUBJECT: Sawyer v. Anderson v. Shalala Fairness Poster

REFERENCE: MPP 44-101.5 and ACL 94-49

The purpose of this letter is to transmit a poster to the counties for display during the period October 23, 1995 through December 4, 1995. The display of this poster is required by the United States District Court in Sawyer v. Anderson v. Shalala. Counties need to make sufficient copies to post in all district offices in which there is public contact.

This court case requires that Temporary Worker's Compensation payments be treated as earned income for the Aid to Families with Dependent Children (AFDC) Program and for Medi-Cal. We expect to issue full implementation instructions for this court case in the near future.

If you have any questions about this poster or this court case, and its impact on AFDC, please call Mr. Vincent Toolan at (916) 654-1808. If you have questions about this case and its impact on Medi-Cal, please call Dave Rapolee at (916) 657-0163.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Wagstaff".

BRUCE WAGSTAFF  
Deputy Director  
Welfare Programs Division

**NOTICE: AFDC/MEDI-CAL LAWSUIT SETTLED****Welfare may owe you money.**

The settlement of a lawsuit named Curtis Sawyer v. Eloise Anderson v. Donna Shalala affects the way the county welfare department calculates AFDC grants and Medically Needy Only Medi-Cal shares of costs when someone in the household receives Workers Compensation Temporary Disability Income (TDI) benefits. TDI benefits are like sick pay. They are paid to a worker during recovery from a work-related injury or illness.

The settlement requires the welfare department in the future to treat TDI as "earned" income and apply certain "earned income disregards" to TDI when calculating the amount of AFDC you are entitled to receive or the amount of your Medi-Cal share of cost. TDI benefits are "earned" income only if your employment relationship continues while you are recovering from a work-related injury or illness. The new procedures mean an increase in AFDC benefits and a cut in Medi-Cal shares of costs.

The settlement also requires that if you or someone in your household received TDI benefits after July 1, 1992, while you were on AFDC or Medically Needy Only Medi-Cal, the welfare department has to re-examine and possibly recalculate your past benefits. This may mean welfare may owe you money. Information on how to make a claim will be available after the court approves the settlement in early December 1995.

If you agree with the settlement, you do not have to do anything.

**If you do not agree with the settlement, you must mail a letter no later than November 17, 1995 to one of the plaintiffs' lawyers:**

Curtis Child Staff Attorney  
Legal Services of  
Northern California  
515 - 12th Street  
Sacramento CA 95814

OR

Kate Meiss  
Richard Rothschild  
Western Center on Law & Poverty  
3701 Wilshire Blvd, Suite 208  
Los Angeles CA 90010-2809

**If you do not write in time, the court may make the settlement final, and you will not be allowed to appeal it.**

You may also attend the court hearing on the settlement on December 4, 1995, at 11:00 a.m., at the federal courthouse, 650 Capitol Mall, Court-room No. 6, Sacramento, California. However, you will not be allowed to state any objections to the settlement at the hearing unless you have written a letter to one of plaintiffs' lawyers.

For more information about the lawsuit or the settlement, you may write any of the plaintiffs' lawyers listed above or you may call:

Curtis Child at (916) 443-3391, extension 7142 or

Kate Meiss or Richard Rothschild at (213) 487-7211, extension 31.

## AVISO: ARREGLO DE UNA DEMANDA DE AFDC/MEDI-CAL

Es posible que el departamento de bienestar le deba dinero

El arreglo de la demanda llamada Curtis Sawyer vs. Eloise Anderson vs. Donna Shalala, afecta la manera en que el departamento de bienestar del condado calcula los pagos mensuales de AFDC (Asistencia para Familias con Niños Necesitados) (*Aid to Families with Dependent Children*) y la parte del costo de las Personas que Solamente Son Necesitadas bajo el Programa de Medi-Cal (*Medically Needy Only Medi-Cal*), cuando alguien en el hogar recibe Ingresos de Incapacidad Temporal (*Temporary Disability Income-TDI*) de la Compensación por Lesiones de Trabajo (*Workers' Compensation*). Los beneficios de TDI son como subsidios por enfermedad. Se pagan a un empleado durante su recuperación de una lesión o enfermedad relacionada con el trabajo.

El arreglo requiere que en el futuro, el departamento de bienestar trate a los TDI como ingresos "ganados" y que aplique ciertas "deducciones en los ingresos ganados" a los TDI, cuando se calcule la cantidad de AFDC que usted tiene derecho a recibir o la cantidad de su parte del costo de Medi-Cal. Los beneficios de TDI son ingresos "ganados" solamente si continúa siendo empleado mientras está recuperando de una lesión o enfermedad relacionada con el trabajo. Los nuevos procedimientos significan un aumento en los beneficios de AFDC y una reducción en la parte del costo de Medi-Cal.

El arreglo también requiere que el departamento de bienestar reexamine y posiblemente vuelva a calcular sus beneficios pasados, si usted o alguien en su hogar recibió beneficios de TDI después del 1 de julio de 1992, mientras que usted estaba recibiendo beneficios de AFDC o beneficios designados para las Personas que Solamente Son Necesitadas bajo el Programa de Medi-Cal. Es posible que esto signifique que el departamento de bienestar le deba dinero. La información sobre la manera de presentar un reclamo estará a la disposición después que la corte apruebe el arreglo a principios de diciembre de 1995.

Si usted está de acuerdo con el arreglo, no tiene que hacer nada.

**Si usted no está de acuerdo con el arreglo, tiene que enviar una carta a más tardar el 17 de noviembre de 1995, a uno de los abogados de los demandantes:**

Curtis Child, Staff Attorney  
Legal Services of  
Northern California  
515 - 12th Street  
Sacramento, CA 95814

o

Kate Meiss  
Richard Rothschild  
Western Center on Law & Poverty  
3701 Wilshire Blvd., Suite 208  
Los Angeles, CA 90010-2809

**Si usted no escribe a tiempo, es posible que la corte finalice el arreglo, y no se le permitirá a usted apelar.**

Usted también puede asistir a la audiencia de la corte sobre el arreglo el 4 de diciembre de 1995, a las 11:00 de la mañana, en la corte federal de 650 Capitol Mall, sala de tribunal No. 6, Sacramento, California. Sin embargo, a usted no se le permitirá declarar ningunas objeciones al arreglo en la audiencia, a menos que haya escrito una carta a uno de los abogados de los demandantes.

Para más información acerca de la demanda o el arreglo, usted puede escribirle a cualquiera de los abogados de los demandantes que se enumeran arriba o puede llamar a:

Curtis Child al (916) 443-3391, extensión 7142, o

Kate Meiss o Richard Rothschild al (213) 487-7211, extensión 31.

- Nếu quý vị muốn có một bản dịch của thông báo này, xin hỏi nhân viên Ty Xã Hội phụ trách hồ sơ của quý vị.
- 假如你需要這份通知的譯文，你可以向你的郡工作員詢問。
- បើសិនជាលោកអ្នកត្រូវការសេចក្តីបកប្រែនៃសេចក្តីប្រកាសនេះ សូមសាកសួរអ្នកកាន់សំណុំរឿងនៃខណ្ឌរបស់លោកអ្នក ។